IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

CHAMBER SUMMONS NO. 1677 OF 2004

IN

SUIT NO. 2 OF 2001

ARISING FROM

PETITION NO. 228 OF 1998

Balakram Hitkari .. Deceased

Keval Krishan Hitkari ..Petitioner/Plaintiff

Versus

Rajesh O.Kakkar ..Caveator/Defendant

Mr. G.R.Mehta for the Petitioner.

Mr. J.B.Fernandes or Caveator.

CORAM: S.K.SHAH,J.

DATE : 10th March,2005.

P.C.

1. Heard. The learned Counsel for the Caveator/Defendant has no objection to allow the Chamber Summons.

2. Therefore, the delay in taking out the Chamber Summons is condoned. The Chamber Summons is allowed and made absolute in terms of prayer clause (b). No order as to costs.

Chamber Summons stands disposed of.

3. Liberty to move for expeditious hearing.

(S.K.SHAH,J.)